

REMARKS

This Amendment is in response to the final Office Action dated August 23, 2005. Claims 39-52 are pending in this application. Claims 1-38 were previously canceled, and claims 39 and 40 were withdrawn from consideration in view of an earlier restriction requirement. By this Amendment, claims 41 and 47 have been amended to better define the presently claimed invention. Claims 44 and 50 were amended to more particularly recite the relationship of the pin with the male mandrel element. Claim 45 was amended to correct a typographical error. Favorable reconsideration of the pending claims is respectfully requested.

The Examiner has objected to claims 47-52 under 37 CFR 1.75 as being a substantial duplication of claims 41-46. Applicants note the scope of these claims is different as clearly evident at a minimum by the recitation of the filter device from a length of tubing. Claims 41-46 recite an expandable material. Therefore, Applicants respectfully request the Examiner to withdraw this objection.

Claims 41, 42, 46-48 and 52 were rejected under 35 U. S. C. 102(e) as being anticipated by U. S. Patent No. 6,605,102 to Mazzocchi et al. (the "Mazzocchi patent"). Additionally, claims 42-45 and 49-51 were rejected under 35 U. S. C. 103(a) as being unpatentable over the Mazzocchi patent. Applicants note that independent claims 41 and 47 have been amended to include the recitation of a channel formed into the male mandrel element and a pin receivable in the channel for maintaining the expandable material or length of tubing aligned relative to the male mandrel element. Applicants strongly disagree with the Examiner's position that the Mazzocchi patent discloses the use of a pin which is receivable within a channel formed in a male mandrel element. The molding elements shown in figs. 16 and 7 of the Mazzocchi patent utilize recesses 375 and 379 which are used to receive an end of the metal fabric braid. These recesses 375 and 379 are needed to fabricate the ends of the basket formed by the metallic fabric and are not used in an fashion with a pin, or any equivalent component, to help maintain the

expandable material aligned with the male mandrel member. Simply stated, there is no component found on any of the molding elements disclosed in the Mazzocchi patent which utilizes a pin to align the material relative to the molding element.

In the Office Action, the Examiner has made reference to a clamp 15, used to form the ends of the filter, which the Examiner believes is somehow equivalent to a pin. First and foremost, this clamp 15 is not part of the molding system at all, but rather, is part of the filter itself. Its function on the completed filter device is to tie together the ends of the numerous wires which form the metallic fabric utilized to create the filter (See column 13, lines 7-21 of the Mazzocchi patent). Without this clamp 15, the ends of the wires would be exposed. Therefore, the clamp 15 is merely part of the filter device itself and cannot, and does not, constitute a portion of the molding system. Therefore, the basic elements recited in the pending claims are not disclosed in the Mazzocchi patent. Applicants respectfully request the Examiner to withdraw the Mazzocchi patent as an anticipatory and 103(a) reference.

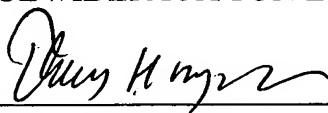
Applicants note that they successfully argued the patentability of the previously-submitted claims over U. S. Patent No. 4,171,943, the reference which the Examiner based the earlier rejection of the pending claims. Applicants believe that the present Office Action should not have been deemed a final rejection. Accordingly, Applicants respectfully request the Examiner to withdraw the finality of the pending rejections.

In view of the foregoing, it is respectfully urged that all of the present claims of the application are patentable and in a condition for allowance. The undersigned attorney can be reached at (310) 824-5555 to facilitate prosecution of this application, if necessary.

In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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